



Senate Fiscal Agency
P. O. Box 30036
Lansing, Michigan 48909-7536

BILL ANALYSIS



Telephone: (517) 373-5383
Fax: (517) 373-1986

Senate Bill 1076 (as introduced 9-8-16)
Sponsor: Senator Margaret E. O'Brien
Committee: Judiciary

Date Completed: 9-19-16

CONTENT

The bill would amend the Michigan Vehicle Code to require the driver of a vehicle overtaking a bicycle to pass at a safe distance of at least five feet from the bicycle.

The bill would take effect 90 days after enactment.

Passing a Bicycle

Section 636 of the Code establishes rules governing the overtaking and passing of vehicles proceeding in the same direction. A violation is a civil infraction.

Under the bill, the driver of a vehicle overtaking a bicycle proceeding in the same direction would have to pass at a safe distance of at least five feet to the left of the bicycle and, when safely clear of the overtaken bicycle, would have to take up a position as near the right-hand edge of the main traveled portion of the highway as practicable.

Passing on the Right

Section 637 of the Code allows the driver of a vehicle to overtake another vehicle and pass upon the right of it only if one or more of the following conditions exist:

- When the overtaken vehicle is making or about to make a left turn.
- On a street or highway with unobstructed pavement not occupied by parked vehicles of sufficient width for two or more lines of moving vehicles in each direction and when the vehicles are moving in substantially continuous lanes of traffic.
- On a one-way street, or upon a roadway on which traffic is restricted to one direction of movement, where the roadway is free from obstructions and of sufficient width for two or more lines of moving vehicles and when the vehicles are moving in substantially continuous lanes of traffic.

Also, the driver of a vehicle may overtake and pass another vehicle on the right only under conditions permitting overtaking and passing in safety. A driver may not overtake and pass another vehicle on the right by driving off the pavement or main-traveled portion of the roadway. A violation of Section 637 is a civil infraction.

Under the bill, the driver of a vehicle overtaking a bicycle, when otherwise permitted by Section 637, would have to pass at a safe distance of at least five feet to the right of the bicycle.

MCL 257.636 & 257.637

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The bill would have no fiscal impact on the State and could have a small positive impact on local governments. Any increase in revenue from civil infractions would be dedicated to public libraries.

Fiscal Analyst: Ryan Bergan

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.